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# Congress of the United States

## House of Representatives

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August 5, 2010

Mr. William Reukauf  
Acting Special Counsel  
Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505

Dear Mr. Reukauf,

I write to request that you investigate whether any employees of the Department of Justice's Civil Rights Division have suffered harassment based upon race, religious beliefs, or perceived political allegiance in violation of federal laws.

The Office of Special Counsel (OSC) plays a unique role in the administration of the federal government in that it protects federal employees from prohibited personnel actions and decisions. In light of the circumstances that I describe below, and consistent with OSC's mission, I urge OSC to open an investigation into whether since 2001 any Civil Rights Division employees were harassed or unduly pressured as a result of their race, religious beliefs, or perceived political allegiance and whether any additional improper conduct took place.

On July 6, 2010, the United States Commission on Civil Rights held a hearing concerning the decision by the Justice Department to dismiss most of its lawsuit against the New Black Panther Party for Self Defense and three of its members for the intimidation of voters outside a Philadelphia polling location on Election Day 2008. At that hearing J. Christian Adams, a former Civil Rights Division attorney assigned to the case, testified under oath that the Division's management fostered an openly hostile culture towards the race-neutral enforcement of federal voting rights laws. As part of this culture of hostility Mr. Adams testified to at least three instances of harassment of Division employees.

Mr. Adams testified, for example, about the harassment of a minority Division employee, who was working on a voting rights case against Ike Brown, an African-American activist in Nuxabee County, Mississippi, who allegedly cancelled ballots of white voters and stuffed the ballot box with votes for African-American candidates to skew election results. Specifically, Mr. Adams testified that this individual "was relentlessly harassed by Voting Section staff for his

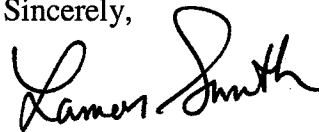
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willingness as a minority to work on the case of *United States v. Ike Brown*.”<sup>1</sup> He also testified: “Others assigned to the case were harassed in other ways, such as being badgered and baited about their evangelical religious views or their political beliefs. In these instances, the victimized employee was openly assumed to espouse various political positions hostile to civil rights, simply because he worked on this case.”<sup>2</sup> Mr. Adams testified that he too was a victim of such harassment.<sup>3</sup>

There is never an excuse for any federal employee to suffer workplace harassment. Harassment is not only illegal, but it substantially interferes with the discharge of a federal employee’s duties. Therefore, based on Mr. Adams’s sworn testimony, I request that OSC open an investigation into whether any officials at the Division engaged in behavior that constitutes harassment, fosters an openly hostile work environment, or violates any other federal law or regulation.

Thank you for your attention to this matter and I look forward to your reply.

Sincerely,



Lamar Smith  
Ranking Member

cc: The Hon. Eric Holder, Jr.  
The Hon. Glenn Fine  
The Hon. John Conyers, Jr.

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<sup>1</sup> U.S. Commission on Civil Rights, “The New Black Panther Party Hearing (2),” 57 (July 6, 2010).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*